

(Chap. XVI.—Vital Statistics. Secs. 458-460. Chap. XVII.—Bye-laws. Sec. 461.)

may be detained in custody until he complies therewith or the requisite information is otherwise obtained.

(3) It shall be the duty of an enumerator, if so required by any person who is unable to write, to fill up any such schedule or return as aforesaid from information supplied by such person.

Occupier to
amend re-
turns, if
found de-
fective.

458. If any enumerator or other subordinate officer employed in the collection of such schedules or returns shall find any of the same defective or in any respect improperly filled in, he may return the same to the occupant of the building or residence to which the same relates, together with a written notice requiring that the same be duly filled in or amended within a period of forty-eight hours.

Military,
naval and
police
officers and
certain
others, if
required, to
act as
enumerators.

459. (1) Any military or naval officer or any officer of the Bombay city police, or any master or person in charge of a merchant vessel, or nacoda, or tindal of a vessel or boat, or any person in charge of a lunatic asylum, hospital or prison or of any public or private charitable or scholastic institution, or any keeper of a hotel or lodging-house, shall, if required, act as an enumerator for the purpose of taking account of persons under his command or charge, or abiding in any building in his possession, charge or control, on the night immediately preceding the day to be appointed for the making of such enumeration.

(2) Every person so required to act as an enumerator shall receive and conform to all instructions in writing which may be issued to him by the Commissioner in that behalf.

Returns of
houseless
persons.

460. The Commissioner shall obtain, by such means as shall appear to him best adapted for the purpose and as shall be sanctioned by Government, returns of the particulars required for the purpose of the census with respect to all houseless persons, and all persons who during the said night preceding the day to be appointed for the making of such enumeration were on out-door night-duty, or for any other reasons were not abiding in any building of which account is to be taken by the enumerators.

CHAPTER XVII.

BYE-LAWS.

Bye-laws for
what pur-
poses to be
made.

461. The corporation may from time to time make bye-laws, not inconsistent with this Act, with respect to the following matters (namely) :—

(a) regulating, in any particular not specifically provided for in this Act,

the construction, maintenance and control of drains, ventilation-shafts or pipes, cesspools, water-closets, privies, latrines, urinals, drainage-works of every description, whether belonging to the corporation or to other persons, municipal water-works, private communication-pipes and public streets;

- (b) regulating all matters and things connected with the supply and use of water;
- (c) the structure of walls, foundations, roofs and chimneys of new buildings, for securing stability and the prevention of fires and for purposes of health;
- (d) the provision and maintenance of sufficient open space, either external or internal, about buildings to secure a free circulation of air and of other means for the adequate ventilation of buildings;
- (e) the provision and maintenance of house-gullies;
- (f) the control and supervision of all premises used for any of the purposes mentioned in section 394 and of all trades and manufactures carried on therein;
- (g) the inspection of milch-cattle and prescribing and regulating the construction, dimensions, ventilation, lighting, cleansing, drainage and water-supply of dairies, and cattle-sheds in the occupation of persons following the trade of dairy-men or milk-sellers;
- (h) securing the cleanliness of milk-stores, milk-shops and milk-vessels used by such persons for containing milk;
- (i) requiring notice to be given whenever any milch-animal is affected with any contagious disease and prescribing precautions to be taken for protecting milch-cattle and milk against infection or contamination;
- (k) securing the efficient inspection of markets and slaughter-houses and of shops in which articles intended for human food are kept or sold;
- (l) the control and supervision of butchers carrying on business within the city or at a municipal slaughter-house without the city;
- (m) regulating the use of any municipal market-building, market-place or slaughter-house or any part thereof;
- (n) controlling and regulating the sanitary condition of markets and slaughter-houses, and preventing the exercise of cruelty therein;
- (o) preventing the use in any market of false or defective weights, scales or measures and publishing a price-current;

(Chap. XVII.—Bye-laws. Secs. 462-465.)

- (p) regulating the disposal of the dead and the maintenance of all places for the disposal of the dead in good order and in a safe sanitary condition, due regard being had to the religious usages of the several classes of the community;
- (q) facilitating and securing complete and accurate registration of births and deaths;
- (r) the registration of marriages;
- (s) facilitating, when requisite, the taking of a census and securing accurate returns;
- (t) regulating the delegation of the powers and duties of the standing committees to sub-committees;
- (u) assigning the functions of the joint schools committee under sub-section (10) of section 39, regulating the exercise by the said committee of its functions so assigned and of the functions assigned to it under sub-section (9) of the said section, and regulating the administration by the said committee of the school-fund under sub-section (7) of the said section;
- (v) determining the constitution, powers and duties of any committee which the corporation may appoint under section 40 or 41;
- (w) carrying out generally the provisions and intentions of this Act.

Punishment may be imposed for breach of bye-laws.

462. In making a bye-law under the last preceding section the corporation may provide that a breach of it shall be punishable with fine which may extend to twenty rupees and, in the case of a continuing breach, with fine which may extend to ten rupees for every day, after conviction for the first breach or after receipt of written notice from the Commissioner to discontinue the breach, during which the breach continues.

Bye-laws to be confirmed by Government.

463. No bye-law made under either of the two last preceding sections shall have any validity unless and until it is confirmed by Government.

Commissioner to lay draft bye-laws before the corporation for their consideration.

464. It shall be the duty of the Commissioner from time to time to lay before the corporation for their consideration a draft of any bye-law which he shall think necessary or desirable for the furtherance of any purpose of this Act.

Hearing by corporation of objections to proposed bye-laws.

465. (1) No bye-law shall be finally approved by the corporation unless notice of the intention of the corporation to take the same into their consideration has been given by advertisement in the Bombay Government Gazette and

(Chap. XVII.—Bye-laws. Secs. 466-469.)

in the local newspapers six weeks at least before the day of the meeting at which the corporation finally consider such bye-law.

(2) The corporation shall, before approving the bye-law, receive and consider any objection or suggestion which may be made in writing by any person with respect thereto before the day of the said meeting; and any person desiring to object to a bye-law, on giving written notice to the president of the corporation, not less than ten days before the day of the said meeting, of the nature of his said objection, may, by himself or his counsel, attorney or agent, be heard by the corporation thereon at the said meeting, but not so as that more than one person be heard on the same matter of objection.

466. (1) For one month at least before the day of the meeting at which the corporation finally consider a bye-law, a printed copy of such bye-law shall be kept at the chief municipal office for public inspection, and every person shall be permitted at any reasonable time to peruse the same, free of charge.

Proposed bye-law to be open to public inspection.

(2) Printed copies of the proposed bye-law shall also be delivered to any person requiring the same on payment of such fee, not exceeding one rupee for each copy, as shall be prescribed by the Commissioner.

467. When any bye-law has been confirmed by Government, it shall be published in the Bombay Government Gazette, and thereupon shall have the force of law.

Bye-laws confirmed by Government to be published in the Bombay Government Gazette.

468. (1) The Commissioner shall cause all bye-laws from time to time in force to be printed, and shall cause printed copies thereof to be delivered to any person requiring the same, on payment of a fee of two annas for each copy.

Printed copies of bye-laws to be kept on sale.

(2) Notice of the fact of copies of the bye-laws being obtainable at the said price and of the place where and the person from whom the same are obtainable shall be given by the Commissioner from time to time by advertisement in the local newspapers.

(3) Boards, with the bye-laws printed thereon or with printed copies of the bye-laws affixed thereto, shall be hung or affixed in some conspicuous part of the municipal office and in such places of public resort, markets, slaughter-houses and other works or places affected thereby, as the Commissioner thinks fit, and the said boards shall from time to time be renewed by the Commissioner.

469. (1) No municipal officer or servant shall at any reasonable time prevent the inspection of any board provided by the Commissioner under the last preceding section by any person desiring to inspect the same.

Boards for exhibiting bye-laws to be open to

(Chap. XVII.—Bye-laws. Sec. 470. Chap. XVIII.—Penalties. Sec. 471.)

Inspection
and not to
be injured.

Govern-
ment may
repeal bye-
laws.

(2) No. person shall, without lawful authority, destroy, pull down, injure or deface any such board.

- 470: (1) If it shall at any time appear to the Governor in Council that any bye-law should be repealed either wholly or in part, he shall cause his reasons for such opinion to be communicated to the corporation and prescribe a reasonable period within which the corporation may make any representation with regard thereto which they shall think fit.

(2) After receipt and consideration of any such representation or, if in the meantime no such representation is received, after the expiry of the prescribed period, the Governor in Council may at any time, by notification in the Bombay Government Gazette, repeal such bye-law either wholly or in part: Provided that no bye-law shall be repealed by the Governor in Council in part only, if, within the period aforesaid, the corporation have objected to a partial repeal thereof.

(3) The repeal of a bye-law under sub-section (2) shall take effect from such date as the Governor in Council shall in the said notification direct or, if no such date is specified, from the date of the publication of the said notification in the Bombay Government Gazette, except as to anything done or suffered or omitted to be done before such date.

(4) The said notification shall also be published in the local newspapers.

CHAPTER XVIII.

PENALTIES.

Certain
offences
punishable
with fine.

471. Whoever contravenes any provision of any of the sections, sub-sections and clauses of this Act herein below in this section mentioned or of any regulation made thereunder; or fails to comply with any requisition lawfully made upon him under any of the said sections, sub-sections or clauses, shall be punished, for each such offence, with fine which may extend to the amount hereinbelow in this section specified as the maximum amount of fine to be inflicted in respect of offences against the said sections, sub-sections and clauses, respectively, namely:—

Sections.	Maximum amount of fine that may be inflicted.
349, 368, 371, 385; sub-section (1), 388, clauses (e), (f) and (g), 408, sub-section (2), 469; sub-section (2)	Ten rupees.